

# Exhibit 42:

## B.P. Declaration

**DECLARATION OF B.P.**

1. I am a current registrant on the Michigan Sex Offender Registry. I pled no contest to one count of CSC-2 in 2012. I was sentenced to ten months in the Saginaw County jail of which I served eight months with good behavior followed by five years of probation. I have been on the registry since 2012. I am a tier-III registrant and am currently required to register for life.

2. I was required to register as a sex offender before I was ever sentenced. My initial period was 25 years. After I was sentenced and completed my time in prison, I went to register in person for the first time and found I was a tier-III registrant who would be required to register for the rest of my life. When I pled no contest to my charge, it was under the impression I would be on the registry for only 25 years. I would have done things differently had I known I would be on the registry for life.

3. Being on the registry has made it hard to find and keep a job. It took me nearly a year to find a job. I tried two approaches while job hunting: not divulging my registry status, and being upfront about my registry status. Neither method worked as, once it came out that I was on the registry, I was not hired. At one point, I was already scheduled to work for Rite Aid. Once the registry came up, I was let go.

4. Now I work for a Sportswear store where I have been since 2015. Every day I go to work, I am scared that I will lose both my job and my coworkers, who have become my friends. I am afraid all it will take is someone saying something

about me being on the registry. My manager has told me multiple times that I should apply for a manager's position. I don't because I am scared applying for the position will expose my registry status. I don't know if he knows about my status or if only the corporate office knows, and I can't ask him without revealing it.

5. Being on the registry also made it extremely hard for me to find and keep housing. Shortly into my probation, my stepdaughter – who lived with me at the time – unexpectedly got pregnant and had a baby. I notified my probation officer about the birth and was immediately forced to leave my home and find temporary housing because my P.O. refused to let me live with my stepdaughter and new grandson. It took me over a month to find somewhere to live.

6. The biggest issue I have faced so far with the registry is the confusing and unclear reporting requirements. The requirements around reporting internet activity and identifiers have been especially confusing for me. In April 2013 I was charged with a violation for “failure to report a War of Warcraft account” on a computer that my P.O. had given me permission to use. I was told I should have gotten the permission in writing, but I was never told or read about that requirement. Because of that charge, I was reincarcerated. Over three years later, and ten years after my original offense, the Michigan Supreme Court eventually vacated my sentence. I was resentenced to the remaining time of my 5-year probation, of which I had less than

2 years left to complete. This experience has made me more careful with how I use the internet; now I avoid using social media altogether.

7. Being on the public sex offender registry has made it hard to engage in social activities. Prior to being on the public registry, I traveled a lot. I went back and forth between Illinois and Michigan and loved seeing new places and trying new foods there. After going on the registry, I was afraid to leave my house for anything other than work, grocery shopping, or doctor's visits. Even now – 11 years later – my life is way narrower than it was before the registry; I feel like I'm always waiting for another charge every time I go in to register.

8. I have two sisters who both live outside of Michigan. They want me to visit them, but I am afraid to travel. It's really complicated, and sometimes confusing, planning travel around reporting requirements. If I do travel, I keep it under three days, so I don't run into any issues and risk violating SORA. I have only traveled twice recently, both times for funerals. The first was my dad's funeral in Texas, which I missed. Before he passed, I made plans to visit him. My tickets and travel time were set, but he unfortunately passed a couple of days before I was set to arrive. I had to travel back to Michigan before his funeral was set to take place because changing my travel plans could have resulted in me being out of state for more than 7 days without first notifying the state police. The second was for my nephew in Indiana, which I had to take my mother to. I returned home within three days.

9. I recently had a heart attack which resulted in me staying in the hospital for three days. In order to prevent future heart attacks and health issues, I have to be more physically active. I'm attending cardiac rehab now, but the program only runs for 12-18 weeks. After that, I will have to seek an alternative. I would like to get a gym membership to fill in the gap of my rehab sessions, but because of my registry status, I'm not able to do so. I'm scared my physical condition will only get worse.

10. The reporting requirements are sometimes confusing and make it hard to know if I am following the rules. I have repeatedly asked officers whether I am supposed to report certain car information and they tell me they do not know, but I should report it anyways. Once, I was specifically told by officers when I went in person to report that I was still required to report internet identifiers, even though the change in law at the time stated we no longer had to if the crime occurred before June 1, 2011 – which mine did as it occurred in January 2004.

I, B.P., certify under penalty of perjury that the following statement is true and correct pursuant to 28 U.S.C. § 1746.

B.P.  
(name on file with Plaintiffs' counsel)

Dated: March 16, 2023